

September 12, 2019

VIA ECF

The Honorable Jesse M. Furman
United States District Court
Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square
New York, New York 10007

Re: *Touchstone Strategic Trust, et al. v. General Electric Co., et al.*, No. 19-cv-1876
(S.D.N.Y.) (the “Touchstone Action”)

Dear Judge Furman:

We write jointly on behalf of the parties in the above-referenced action pursuant to the Court’s March 13, 2019 Order (ECF No. 184) (“Order”) which endorsed the parties’ proposal concerning motion practice in the *Touchstone* Action in light of the motion to dismiss that was pending in *Sjunde AP-Fonden, et al. v. General Electric Co., et al.*, No. 17-cv-8457 (S.D.N.Y.) (the “Class Action”). The Order required that the parties to “submit a joint letter proposing next steps in” the *Touchstone* Action “[w]ithin two weeks of the Court’s ruling on the pending motion to dismiss in the Class Action.” On August 29, 2019, the Court issued an Order and Opinion in the Class Action.

The parties in the *Touchstone* Action have met and conferred and agree that motion practice in the *Touchstone* Action should continue to be deferred. The parties anticipate that the plaintiffs in the Class Action will file an amended complaint and that there will be additional motion practice. Because this motion practice will likely result in a ruling that provides greater clarity as to the scope of claims that will ultimately be pursued in the Class Action, at this time it appears that the interests of judicial economy would best be served by extending the Defendants’ deadline to answer or otherwise respond to the complaint until the Class Action plaintiffs file their amended complaint and the Court rules on any subsequent motion to dismiss that amended complaint.

Accordingly, the parties in the *Touchstone* Action propose that, after the Court rules on the motion to dismiss in the Class Action, they meet and confer and submit within 21 days from the date the Court enters its order a joint letter to the Court setting forth a proposed schedule for and/or the parties’ positions on further procedural steps. In the event that the Class Action plaintiffs inform the Court that they do not intend to amend the complaint, the parties propose to submit a joint letter to the Court within 21 days proposing a schedule or setting forth the parties’ positions as to next steps.

Respectfully submitted,

/s/ Steven S. Fitzgerald

WOLLMUTH MAHER & DEUTSCH LLP
William A. Maher
Steven S. Fitzgerald
Roselind F. Hallinan
500 5th Avenue
New York, NY 10110
Tel: (212) 382-3300
Fax: (212) 383-0050
wmaher@wmd-law.com
sfitzgerald@wmd-law.com
rhallinan@wmd-law.com

*Counsel for Plaintiffs Touchstone Strategic
Trust, et al.*

/s/ Blake T. Denton

LATHAM & WATKINS LLP
Miles N. Ruthberg
Blake T. Denton
885 Third Avenue
New York, NY 10022
Tel: (212) 906-1200
Fax: (212) 751-4864
miles.ruthberg@lw.com
blake.denton@lw.com

*Counsel for Defendants General Electric Co.,
et al.*